1637

Typed or printed name

PTO/SB/21 (09-04) Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Inder the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 09/847,513 Filing Date TRANSMITTAL 5/1/2001 First Named Inventor **FORM** Edward F. Delong Art Unit 1637 Examiner Name Teresa E. Strzelecka (to be used for all correspondence after initial filing) Attorney Docket Number MBA-101/US Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Identify Terminal Disclaimer Extension of Time Request below): Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Lumen Intellectual Property Services, Inc. Signature Printed name Mirian Kaplan Reg. No. Date 55,315 **CERTIFICATE OF TRANSMISSION/MAILING** I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

SYLVIA LEE

Date

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/847,513

Docket No.: MBA-101/US

Filing Date:

05/01/2001

Art Unit: 1637

Applicants:

Edward F. Delong et al.

Examiner: Teresa E. Strzelecka

5 Title:

Light-Driven Energy Generation Using Proteorhodopsin

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Non-Fee Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Typed or printed name of person signing this certificate

Signature

on 1113/05

Date

SYLVIA LEG

20

25

30

10

15

## RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop Non-Fee Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

An Office Communication mailed October 28, 2005 stated that the amendment filed August 25, 2005, for Application No. 09/847,513, was non-compliant because the listing of claims did not include the text of all pending claims (including withdrawn claims). The corrected amendment submitted herewith is a bona fide attempt to place the amendment in compliance with 37 CFR 1.21 and contains no new matter.

35

Respectfully submitted,

Miriam Kaplan, Ph.D. Reg. No. 55,315

LUMEN INTELLECTUAL PROPERTY SERVICES

2345 Yale Street, Second Floor

Palo Alto, CA 94306

(O) 650-331-8417 (F) 650-424-0141